BEFORE THE LOK ADALATH
ORGANIZED BY THE KERALA HIGH COURT LEGAL SERVICES COMMITTEE

PRESENT :

THE HONOURABLE MR. JUSTICE M.M.PAREED PILLAY
(RETD.CHIEF JUSTICE, HIGH COURT OF KERALA)
&
THE HONOURABLE MR. JUSTICE M.R.HARIHARAN NAIR
(RETD.JUDGE, HIGH COURT OF KERALA)

FRIDAY, THE 3RD AUGUST 2007 / 12TH SRAVANA 1929

R.F.A. No. 23 of 2004(C)

OS.73/1999 of SUB COURT, NEDUMANGAD
.....

APPELLANT/PLAINTIFF:

P.SASIKUMARAN NAIR,
S/O. PARAMESWARAN PILLAI, RESIDING AT VIJAYA
MANDIRAM, KAZHUNADU, VATTAPARA VILLAGE,
THIRUVANANTHAPURAM.

BY ADV. SRI.T.M.CHANDRAN
SRI.V.AJAKUMAR

RESPONDENT/DEFENDANT:
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1. UPENDRAN @ UPENDRA PANICKER,
S/O. MADHAVAN, RESIDING AT GEETHA BHAVAN,
CHITTAZHA, , VATTAPPARA P.O.,THIRUVANANTHAPURAM.

ADDL. 2. DAVID SOLOMAN, S/O.SOLOMAN KOLATH,
KOLATH HOUSE, PULIYOOR GARDENS,
KUDAPPANAKUNNU, NALANCHIRA,
THIRUVANANTHAPURAM.

ADDL. 3. LOVELY DANIEL, W/O.DAVID SOLOMAN, DO DO.

(ADDITIONAL R2 AND R3 ARE IMPLEADED AS PER VIDE AWARD IN
I.A.NO.4822/2006 ON 3-8-2007)

BY ADV. SRI.K.SATHEESH KUMAR
SRI.T.A.UNNIKRISHNAN
SRI.D.AJITHKUMAR

THIS REGULAR FIRST APPEAL HAVING COME UP FOR DETERMINATION AT THE LOK ADALATH AND THE PARTIES HAVING SETTLED THE MATTER, THE FOLLOWING AWARD IS PASSED IN TERMS OF THE SETTLEMENT:

ORDER ON I.A. NO.1189/2005 & I.A. NO.4823/2006 IN RFA NO.23 OF 2004

CLOSED.

SD/-
M.M.PAREED PILLAY
(RETD. CHIEF JUSTICE)

SD/-
M.R.HARIHARAN NAIR
3.8.2007 (RETD. JUDGE)

/TRUE COPY/

P.A. TO JUDGE

JP

JUSTICE M.M.PAREED PILLAY (RETD. CHIEF JUSTICE, HIGH COURT OF KERALA) &
JUSTICE M.R.HARIHARAN NAIR (RETD. JUDGE, HIGH COURT OF KERALA)

R.F.A. No.23 of 2004

Dated this the 3rd day of August, 2007

AWARD

Appellant and counsel present. Additional respondents 2 and 3 who were sought to be impleaded by I.A. No.4822 of 2006 and their counsel are also present. The counsel presented a compromise petition signed by the appellant, 1st respondent and respondents 2 and 3 whereby the appellant has waived all claims over the plaint schedule property in respect of which specific performance had been sought in this suit and confirmed that respondents 2 and 3 have obtained valid title over the property in question. In view of this settlement, there is no surviving dispute. The compromise is recorded and the appeal is dismissed as settled. The compromise petition will form part of the award. In view of this settlement I.A. No.4822 of 2006 seeking impleadment also stands allowed. Carry out changes in the appeal memo. Refund the court fee to the plaintiff's counsel.

M.M.PAREED PILLAY
(RETD. CHIEF JUSTICE, HIGH COURT OF KERALA)

M.R.HARIHARAN NAIR
(RETD. JUDGE, HIGH COURT OF KERALA)

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